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OFFICE OF PETITIONS

In re Application of Kaushal et al. :
Application No. 09/892,212 :
Filing Date: June 25, 2001 :
Attorney Docket No. 005231ALRT/ETCH/DRIE :

Decision on Petition

This is a decision on the petition under 37 CFR 1.181, filed May 23, 2005, to withdraw the holding of abandonment.

The petition is **granted**.

A non-final Office action was mailed July 28, 2004.

The non-final Office action set a shortened statutory period for reply of three (3) months.

The Office failed to receive a reply to the non-final Office action.

A Notice of Abandonment was mailed February 23, 2005.

Petitioner contends, and has established, non-receipt of the non-final Office action. Therefore, the Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn.

A new non-final Office action will be mailed and the period for reply will be re-started.

Technology Center Art Unit 1775 will be informed of the instant decision. Thereafter, the Technology Center will mail a new non-final Office action. The time period for responding to the new non-final Office action will be set to run from the mailing date of the new non-final Office action.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.

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